IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO.301 OF 2007
IN
CHAMBER SUMMONS NO.1593 OF 2006
IN
EXECUTION APPLICATION [LODGING] NO.620 OF 2006
IN
SUMMARY SUIT NO.1793 OF 2002

Barar Trading & Co. & Anr. .... Appellants
Vs.
Ashish K. Thakur .... Respondent

AND

APPEAL NO.302 OF 2007
IN
CHAMBER SUMMONS NO.1594 OF 2006
IN
EXECUTION APPLICATION [LODGING] NO.617 OF 2006
IN
SUMMARY SUIT NO.1794 OF 2002

S.L.N. Company & Anr. .... Appellants
Vs.
Ashish K. Thakur .... Respondent

Shri N.R. Mody with Ms Deepali Thakore i/b
M/s. Rustamji & Ginwala for the Appellants
in both the Appeals.

Shri Jaydeep Raut for the Respondent in both
the Appeals.

CORAM: R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATED: APRIL 19, 2007

P.C:

1. Heard. Shri Jaydeep Raut waives service on behalf of the respondent in both the appeals.

2. By consent, the impugned order is set aside the matters are remanded to the learned single Judge. The parties agree that the Chamber Summons Nos.1593 and 1594 of 2006 in Summary Suit Nos.1793 and 1794 of 2002 respectively be treated as notice under Order 21, Rule 22 of the Civil Procedure Code and the matters be heard and disposed of by the learned single Judge in accordance with the provisions of law, after hearing the parties. It is made clear that this Court has not expressed any opinion on any of the issues sought to be raised in the matters. The appellants shall file the replies to the chamber summons within fifteen days from today. Meanwhile, the parties shall maintain status quo in relation to the property which is the subject-matter in the proceedings. The appeals are accordingly disposed of with no order as to costs.

(D.G.Karnik, J.) (R.M.S.Khandeparkar, J.)

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